

REMARKS

Claims 1-38 are currently pending. Claims 1 and 21 have been amended to clarify the recited subject matter. Claims 37-38 are newly added. Support for these amendments can be found on page 7, line 28 through page 8, line 19 of the specification. Support for the features recited in Claims 37-38 can be found on page 8, lines 6-8 of the specification. Reconsideration, a withdrawal of all rejections and a Notice of Allowability are respectfully solicited.

Applicant wishes to thank Examiner Foster for the courtesies and helpful suggestions extended to Applicant's representative on July 12, 2005 during the telephonic interview.

Claims 1-36 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Office alleges that in each of Claims 1 and 21, the limitation "a wall structure raised above said film which extends throughout said film" appears to be inaccurate since, according to the Office, the wall structure is not raised in every part of the film, thus the film would not exist.

Applicant respectfully traverses each and every aspect of the invention. Claims 1 and 21 have been amended to clarify the subject matter and address this rejection. In particular, these claims now recite "wherein said wall structure is coextensive with the outer edge of the film such that an interior region within the film is present to envelop said plurality of cavities therein". In view of such, a withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is respectfully solicited.

Claims 1-6, 9-13, 17-29 and 33-36 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,375,956 to Hermelin et al. ("Hermelin"). The Office alleges that Hermelin discloses the features of these claims and therefore anticipates such claims.

Applicant respectfully traverses each and every aspect of this rejection. It is submitted that Hermelin does not anticipate the claims in question. As set forth in MPEP 2131, "[a] claim is anticipated only if each and every element as set forth in the claim is

found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Hermelin does not disclose all features of the claims as now recited. As set forth in the present application, the claimed invention is directed to child resistant ("CR") blister packages that are able to substantially minimize or prevent children from gaining access to the package in accordance with certain protocol limits while at the same time is capable of opening similarly to a non-CR push through blister design. Applicant achieves the above by judicious selection of dimensions of the distance from the edge of the blister pack to the wall structure and the height of the wall structure. Hermelin does not disclose a blister pack with such dimensions. Although Hermelin is silent about the purpose of the shoulder, presumably such is used for conventional reasons, namely to impart rigidity to the strip pack.

Hermelin clearly does not anticipate the claims at issue. A withdrawal of the rejection under 35 U.S.C. § 102(b) is therefore respectfully solicited.

Claims 7-8 are rejected under 35 U.S.C. § 103(a) as being unpatentable Hermelin in view of U.S. Patent No. 5,172,812 to Wharton et al. ("Wharton"). The Office alleges that Wharton suggests that a cover sheet may include a paperboard laminated to the bottom of the aluminum foil (14) for the purposes of providing a child protection feature to the cover sheet. Therefore, according to the Office, it would have been obvious in view of Wharton to have made the aluminum foil cover sheet of Hermelin with a paperboard layer laminated to the bottom thereof.

Applicant respectfully traverses each and every aspect of this rejection. As alluded to above, Hermelin does not lead a person skilled in the art to the claimed invention. Wharton does not address the deficiencies of Hermelin. Wharton discloses a child resistant blister package including a top sheet of paperboard having apertures. It does not teach or suggest Applicant's child resistant blister package, and in particular the wall structure recited by Applicant's claims.

Claims 7-8 are not obvious in view of Hermelin applied in combination with Wharton. A withdrawal of this rejection under is therefore respectfully solicited.

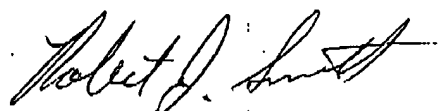
**BEST AVAILABLE COPY**

Claims 14-16 and 30-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over patent document U.S. 2003/0064381 (" '381")<sup>1</sup>. The Office alleges that the '381 reference suggests that a regimen for the treatment of HIV may include the combination of zidovudine/AZT and viramune and zidovudine/lamivudine. The Office further alleges that Hermelin discloses using the blister pack for containing multiple different medicaments for providing a complex dosing regimen. The Office further indicates that to have provided any dosage amounts for these substances would have been further obvious as discovering a specific workable range or value for the substances.

Applicants respectfully traverse each and every aspect of this rejection. For the reasons stated herein, Hermelin does not lead a person of ordinary skill in the art to the features now recited in these claims. The '381 reference does not address the shortcomings of Hermelin in that it is primarily directed to novel polynucleotides encoding HGPRBMY26 polypeptides, fragments and homologues thereof. Accordingly, Claims 14-16 and 30-32 are not obvious. A withdrawal of this rejection is therefore respectfully solicited.

The points of the Office Action being addressed in full, a Notice of Allowability is respectfully solicited.

Respectfully submitted,



Robert J. Smith  
Reg. No. 40,820  
Attorney for Applicants

Date: July 11, 2005

GlaxoSmithKline  
Corporate Intellectual Property  
Five Moore Drive  
PO Box 13398  
Research Triangle Park, NC 27709-3398  
Direct Phone (919)483-9616  
Facsimile (919)483-7988

<sup>1</sup> Given the comments in connection with this rejection, presumably Hermelin was intended to be cited as the primary reference.

10 **BEST AVAILABLE COPY**